

Montie S. Day, Attorney (Cal Bar No. 73327)
Laura R. Spease, Attorney (Cal Bar No. 78273)
LAW OFFICES OF LAURA R. SPEASE
7700 Edgewater Drive, Suite 147
Oakland, California 94621
Spease-Tel: (510) 569-8558
Day-Tel: (208) 280-3766

Montie S. Day, Attorney (Cal Bar No. 73327)
DAY LAW OFFICES
P. O. Box 1045
Shoshone, Idaho 83352
Tel: (208) 280-3766

Attorneys for Estela D. Reed

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PRINCIPAL LIFE INSURANCE
COMPANY,

Plaintiff,

vs.

VINA CUESTA STATUA, INOCENCIO
S. AMBE, CORAZON AMBE
CABALES, ESTELA D. REED, and
DOES 1-10,

Defendants.

ESTELA D. REED,

Cross-claimant,

vs.

VINA CUESTA STATUA, INOCENCIO
S. AMBE, and CORAZON AMBE
CABALES,

Cross-defendants.

Case No. C-07-4915 CW

STIPULATION FOR ENTRY OF
FINAL JUDGMENT PURSUANT
TO SETTLEMENT

COMES NOW ESTELLA REED, defendant and cross-claimant, and VINA CUESTA
STATUA, defendant and cross-defendant, and with approval of PRINCIPAL LIFE

1 INSURANCE COMPANY, and enter this stipulation by and through counsel for a resolution
2 of the pending matter.

3 **RECITAL**

4 1. PRINCIPAL LIFE INSURANCE COMPANY filed the instant interpleader action,
5 depositing with the Court the sum of \$57,433.54. Defendants were VINA CUESTA
6 STATUA, INOCENCIO S. AMBE, CORAZON AMBE CABALES, and ESTELA D.
7 REED. ESTELA D. REED, in turn, with her answer, filed a cross-claim against cross-
8 defendants VINA CUESTA STATUA, INOCENCIO S. AMBE and CORAZON AMBE
9 CABALES.

10 2. On March 12, 2008, the Court issued an order discharging Principal Life Insurance
11 Company from any liability with respect to the competing claims for the funds, with the sum
12 of \$2,500.00 to be paid from the interpled funds.

13 3. Defendant and Cross-Defendant CORAZON AMBE CABALES, has been served,
14 failed to answer the complaint and the cross-claim, the default was entered.

15 4. Defendant and Cross-Defendant INOCENCIO S. AMBE, a resident of the
16 Philippines, has been served first by mail, then by Principal Life Insurance Company via
17 Federal Express and a proof of delivery filed with this Court, and then by Estella D. Reed via
18 UPS with proof of delivery filed with this Court. On March 17, 2008, the default of
19 INOCENIO S. AMBE was entered on the cross-claim.

20 WHEREFORE, the remaining parties claiming an interest in the interpled funds are:
21 **ESTELA D. REED** and **VINA CUESTA STATUA**, with Principal Life Insurance
22 Company discharged for any further liability.

23 **STIPULATION FOR SETTLEMENT** 24 **AND ENTRY OF JUDGMENT**

25 ESTELA D. REED and VINA CUESTA STATUA, by and through counsel, with the
26 approval of PRINCIPAL LIFE INSURANCE COMPANY, stipulate that the Court may enter
27 judgment as follows:
28

1 “UPON the stipulation of ESTELA D. REED and VINA CUESTA STATUA, the
2 only remaining parties before this Court, and the Court having granted a discharge of
3 Principal Life Insurance Company with the granting of \$2,500.00 and for attorney fees;

4 IT IS HEREBY ORDERED AND ADJUDGED THAT the Clerk of the Court shall
5 first pay from the interpled funds the sum of \$2,500.00 to Principal Life Insurance Company,
6 and as to then of the remaining interpled funds on deposit with the Court after the payment
7 of \$2,500.00 to Principal Life Insurance Company, the Clerk of the Court shall distribute
8 funds as follows:

9 1. The sum of \$10,000.00 shall be and is hereby awarded to and shall be paid to
10 VINA CUESTA STATUA, payable to “De Vies Law Group and Vina Cuesta Statua”; and

11 2. The remaining principal plus any accrued interest shall be and is hereby awarded
12 to and shall be paid to ESTELA D. REED, payable to “Laura R. Spease Client Trust Account
13 and Estela D. Reed”; and

14 3. VINA CUESTA STATUA and ESTELA D. REED shall bear their own attorney
15 fees and costs; and

16 4. PRINCIPAL LIFE INSURANCE COMPANY is hereby discharge from and all
17 liability relating to any and all claims for the life insurance policy at issue in this lawsuit, and
18 the corresponding proceeds deposited with the Court, and the claims of any and all
19 defendants herein.”

20 Date: March 17, 2008

DAY LAW OFFICES

21 /s/ Montie S. Day

22 BY: _____
23 Montie S. Day, Attorney for Estela D. Reed

24 Date: March 17, 2008

DeVRIS LAW GROUP

25 /s/ Marc J. Cardinal

26 BY _____
27 Marc J. Cardinal, Attorney of Vina Cuesta Statua

1 Approved:

2 Date: March 17, 2008

WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP

3

s/s Michael K. Brisbin

4

By _____
Michael K. Brisbin, Attorney for
Principal Life Insurance Company

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28